



MEMO

Date: March 5, 2021
To: Board of Education, Portland Public Schools
From: Dan Jung, Chief Operating Officer
Subject: ADA Transition Plan - Timeline

BACKGROUND

The purpose of an ADA Transition Plan is to provide an actionable and coordinated work plan for removing architectural barriers across the buildings and grounds. Stated another way: the plan guides the *transition* to compliance with accessibility guidelines, thereby improving access for individuals with disabilities.

To achieve full accessibility across our schools, District programming must be considered at the systems level to ensure incremental, meaningful access is provided over time. Within the phased improvements outlined below, the target of main-level accessibility District-wide by 2026 is one example of a systems approach. Achieving this milestone will provide greater opportunity for individuals experiencing disability to attend their neighborhood school by allowing administrators to shift programming to the main building level for accommodation. Phases III and IV target multilevel access District-wide with the goal of full-accessibility District-wide by 2041.

Funding for these improvements is expected to predominantly come from general obligation bonds. The funding for Phases I and II have already been approved as part of the 2020 GO Bond scope of work. It is anticipated future bond authorizations will fund Phases III and IV. The proposed phasing allows the District to align funding (bond authorizations) with the proposed phasing.

The proposed timing of the phases is an estimate. Staff reviewed various scheduling considerations and provided a schedule that staff believe to be achievable, and that balances the need to act quickly with project constraints that are both within and outside PPS's control.

This memo provides further detail around the proposed timeline to transition Portland Public Schools to full alignment with Title II of the Americans with Disabilities Act. Specifically, many of the project constraints around elevator installation are described here.

For reference, the phasing, timeframe, and a brief scope description is provided below.

Phase	Years	Scope	Elevator Count
Phase I	2021 - 2023	Main-level Accessibility: Title I, CSI/TSI	0

Phase II	2024 - 2026	Main-level Accessibility: District-wide	0
Phase III	2027 - 2033	Multi-level access: MS/K-8s	13
Phase IV	2034 - 2041	Multi-level access: District-wide	11

The duration and scope of Phases I and II were established with the 2020 School Bond. The respective scopes for Phases III and IV were developed in collaboration with community members, while the duration of these phases is governed by the project constraints around elevator installation, discussed below.

2020 BOND: ACCESSIBILITY

In summer 2020, concurrent with the development of the ADA Transition Plan, the Board of Education weighed three funding scenarios for the then-forthcoming Bond. These options are outlined below:

One accessible school, per configuration, per cluster. Staff estimated at the time \$11,000,000 would allow the District to remove barriers at one site for each configuration, per cluster. This scenario would allow students experiencing disability to remain, if not in their neighborhood school, in their nearest school cluster. This scenario would address full-building accessibility

Two accessible K-5s, one accessible MS, one accessible HS, per configuration, per cluster. Staff estimated at the time \$17,100,000 would allow the District to remove barriers at two K-5s, one MS, and one HS, per cluster. This option would provide greater support for students experiencing disability by reducing transportation needs, potentially allowing these students to remain at their neighborhood school.

Main-Level accessibility, district-wide. Staff estimated at the time \$33,800,000 would allow the District to remove barriers at the main level district-wide. This option would allow building administrators to shift programs within schools to accommodate students experiencing disability, potentially allowing students to attend their neighborhood school regardless of ability.

As mentioned above, engagement for the ADA Transition Plan was ongoing during Bond-development. Community dialogues completed prior to the Bond development were unequivocal around accessibility priorities: main-level accessibility district-wide was a logical and necessary first step to a fully accessible district and should be addressed first. Subsequent Board of Education conversations validated and built upon this direction.

PROJECT CONSTRAINTS: ELEVATORS

Elevators are uniquely complex building modifications. Similar to other targeted scopes of work such as roof replacements or seismic retrofits, various factors limit the number of projects that can be completed simultaneously. The constraints around this work are detailed below; to be sure, no single constraint would stymie the District’s efforts on any given project, rather the cumulative, overlapping nature of these constraints compound against predictable project outcomes.

Market Capacity. Elevators have a limited number of vendors in the Portland region. The limited market availability can connect distinct projects through product or trade bottlenecks. Delays in one project can

cause downstream impacts for other, later, projects. These market conditions, combined with the narrow construction opportunities permitted by school schedules, invite delays of a year or more for elevator installation.

To draw a comparison to roof replacements, PPS completes approximately 4-5 roofs each year. This is a targeted number due to the fact of the limited number of vendors in the region that can design and construct this work. Attempting to complete more work than the market can support results in higher cost of the work (higher bid amounts due to less competition) or the work exceeds market capacity and no contractors are available to complete the work. We saw an example of this a couple years ago when multiple roof replacement bids received only 1 bid and one project received no bids, causing the project to be delayed an entire year.

Unpredictable & invasive nature of impacts. Documentation on District buildings from the 1920s and 50s is anemic at best. Installing an elevator in an existing structure, therefore, requires extensive demolition, destructive testing, or both before the precise nature of the project can be fully understood. To name just three examples of unforeseen building conditions: the presence of hazardous materials, unknown structural deficiencies, or unstable soil conditions may all cause costly delays in project delivery.

What's more, elevator installation is a lengthy process, typically between 6-10 months, and impossible to complete over the summer recess. And while project teams can align the most disruptive construction activities when the building is vacant, some impact on the learning environment is inevitable as construction continues through the academic year.

Necessary coordination of building improvements. It is common for new elevator installations to trigger other, non-ADA-related, building improvements that are unknown until the building permit is submitted. The additional complexity and added time to the project schedule for these unknown additional improvements are non-trivial and can significantly impact a project's scope, schedule, and budget. Examples of additional improvements range from relatively small changes such as modified plumbing systems, to much more complex and invasive requirements including new building-level fire sprinkler systems. To be certain, all of these are worthwhile building improvements, however, they are also difficult to predict as conditions of building permit add uncertainty to phasing timelines that are projecting many years into the future.

Optimal coordination of building improvements. In addition to necessary concurrent building improvements, other improvements should be planned in coordination with elevator installation. These include roof replacement and seismic upgrades. When combined, these improvements are not only more efficient (economy of scale), less disruptive (reduced overall construction time), but can also work together to improve the overall seismic safety of the building.

In insolation, no single project delay would disrupt the District's transition plan, however, the aggregation of such delays within a discrete building product and niche construction specialty suggests the likelihood of compounded delays is very high.

OPTIONS & RECOMMENDATION

One question posed to staff: what would be tradeoffs if the overall timeline was moved up?

Staff share 3 primary considerations regarding moving up the proposed timeline:

Focusing on Prioritizing High Impact Accessibility Improvements.

ADA compliance is a critical goal, and one PPS will achieve. However, PPS's accessibility community has emphasized ADA is only one component of larger accessibility outcomes. As highlighted at the January 12, 2021 work session there are many other critical accessibility improvements that go beyond mere ADA compliance. Accessible playgrounds for all children to play and socialize, restrooms adequately sized for student and staff needs, and classroom acoustics to support auditory and sensory processing disorders are just 3 examples of critical accessibility improvements that are inadequately addressed in ADA. Staff believe a narrow focus on compliance jeopardizes timely improvements of high priority accessibility needs not specifically outlined in federal guidelines. The proposed ADA Transition Plan timing affords the District the opportunity to have thoughtful discussion with the accessibility community, over the course of many years, about how best to weave together strict ADA compliance with non-ADA high priorities.

A Systems Approach Toward a Modernized Building Portfolio.

PPS has well documented capital improvement needs. Capital planning efforts (including general obligation bond development) review, in total, the District's capital needs and prioritize which scopes of work to fund. The longer approach allows for overlapping and coordinated funding to support related building improvements (EG: pairing a new elevator with a roof replacement). This strategy suggests a higher initial cost (larger project scope), but ultimately a more efficient construction-path. Grouping and harmonizing related projects is the best path to move the District systematically toward a modernized building portfolio. Ad Hoc or piecemeal approaches to modernization are inefficient and should be avoided whenever possible.

Additionally, through the modernization-process, accessibility can be studied comprehensively and fully integrated into the social patterns of the building. For example, elevator placement can be coordinated with programming to support social cohesion for students experiencing disability.

Outside the context of modernization, elevators are typically located on the exterior of the building; this approach is less invasive and more predictable from a project-delivery perspective. What's lost with an exterior placement, however, is a cohesive student circulation system: individuals with disabilities may have to arrive at school from another area of the building or travel to another part of the building to join collective school activities or change classes. The social value of an integrated accessibility solution cannot be overstated and is far more difficult to achieve outside the context of modernization.

Leading with Steadfast Determination and Pragmatism

This memo outlines the operational and construction considerations that produced the proposed schedule. If the final decision is to compress the timeline of phases III and IV, staff will make every effort to achieve this goal. Due to project constraints highlighted above, staff believes there is an appreciable risk the reduced timeline would not be met.

Staff recommend maintaining the 20-year transition plan phasing as both the most realistic path toward a fully accessible District.